

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

## URBAN LEAGUE VILLAGE, LLC,

Plaintiff,

V.

OMARI TAHIR-GARRETT,

Defendant.

CASE NO. C21-536-MJP

## ORDER ON REVIEW OF MOTION FOR RECUSAL

On May 17, 2021, Defendant Omari Tahir-Garrett, proceeding pro se, filed a Motion to disqualify the Honorable Marsha J. Pechman in this matter. Dkt. #17. On May 20, Judge Pechman issued an Order declining to recuse herself and, in accordance with this Court's Local Rules, referring that decision to the Chief Judge for review. Dkt. #18; LCR 3(f).

A judge of the United States shall disqualify herself in any proceeding in which her impartiality “might reasonably be questioned.” 28 U.S.C. § 455(a). Federal judges also shall disqualify themselves in circumstances where they have a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding. 28 U.S.C. § 455(b)(1). Pursuant to 28 U.S.C. § 144, “whenever a party to any proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge

1 shall proceed no further therein, but another judge shall be assigned to hear such proceeding.”  
2 “[A] judge’s prior adverse ruling is not sufficient cause for recusal.” *United States v. Studley*,  
3 783 F.2d 934, 939 (9th Cir. 1986); *see also Taylor v. Regents of Univ. of Cal.*, 993 F.2d 710, 712  
4 (9th Cir. 1993) (“To warrant recusal, judicial bias must stem from an extrajudicial source.”).

5 Defendant moves for recusal on the basis that Judge Pechman is part of “an ongoing illegal  
6 and unconstitutional concerted effort, by multiple parties, to prevent plaintiff from receiving [their]  
7 full regular Social Security retirement benefits . . . .” Dkt. #17 at 2. Defendant alleges, without  
8 support, that Judge Pechman is doing this because she “personally wish[es]” to prevent Defendant  
9 from receiving their full Social Security retirement income. *Id.* at 3. Defendant cites no evidence  
10 in support of this allegation but states that Judge Pechman presides over another dispute between  
11 Defendant and the Social Security Administration. *Id.* Defendant does not identify the case  
12 number of any matter involving Defendant and the Social Security Administration over which  
13 Judge Pechman presides.

14 Nothing presented in Plaintiff’s Motion convinces the Court that the standards for recusal  
15 have been met. While the Court takes judicial notice of four cases involving Defendant that were  
16 assigned to Judge Pechman, *see Garrett v. City of Seattle*, C99-1233 MJP; *Garrett v. City of Seattle*,  
17 *et al.*, C10-94 MJP; *Garrett v. Seattle Public School District, et al.*, C10-215 MJP; and *Omari Tahir v.*  
18 *Ronald English, et al.*, C15-1819 MJP, none of these cases appear to involve claims relating to the  
19 Social Security Administration. Moreover, to the extent Judge Pechman has issued adverse rulings  
20 against Defendant in this or previous cases, it is well-established that prior adverse rulings are not  
21 a valid basis for recusal. *See Studley*, 783 F.2d at 939; *see also Taylor*, 993 F.2d at 712.

22 Accordingly, the Court hereby ORDERS that Judge Pechman’s refusal to recuse herself  
23 from this matter is AFFIRMED. The Clerk SHALL provide copies of this order to Plaintiff and  
24 to all counsel of record.

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2 DATED this 21<sup>st</sup> day of June, 2021.  
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6 RICARDO S. MARTINEZ  
7 CHIEF UNITED STATES DISTRICT JUDGE  
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